

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

John E. Haning,

Plaintiff,

v.

Case No. 2:17-cv-278

Commissioner of
Social Security,

Defendant.

ORDER

This matter is before the court for consideration of the July 3, 2018, report and recommendation of the United States magistrate judge to whom this case was referred pursuant to 28 U.S.C. §636(b). The magistrate judge concluded that the administrative law judge erred in failing to explain why he did not include limitations suggested by the state-agency physicians in plaintiff's residual functional capacity after giving great weight to the opinions of those physicians. The magistrate judge recommended that the Commissioner's non-disability finding be reversed, and that this case be remanded to the Commissioner pursuant to 42 U.S.C. §405(g), sentence four, for further proceedings.

The report and recommendation specifically advised the parties that failure to object to the report and recommendation within fourteen days of the report "will result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." Doc. 16, p. 11. The time period for filing objections to the report and recommendation has expired, and no party has objected to the report and recommendation.

The court adopts the report and recommendation of the magistrate judge (Doc. 16). The decision of the Commissioner is reversed, and this case is remanded to the Commissioner under §405, sentence four, for further proceedings consistent with the report and recommendation. The clerk shall enter judgment remanding this case to the Commissioner.

Date: July 19, 2018

s/James L. Graham
James L. Graham
United States District Judge